

**RECORDS RETENTION AND DISPOSITION SCHEDULE
GENERAL SCHEDULE NO. 30
VIRGINIA ALCOHOL SAFETY ACTION PROGRAM**

DIVISION: ALCOHOL SAFETY ACTION PROGRAM (ASAP) AREA OFFICES

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition conditions listed below:

APPROVED: C. Preston Huff, CRM, STATE RECORDS ADMINISTRATOR

EFFECTIVE SCHEDULE DATE: JUNE 1, 1999**PAGE 1 OF 4 PAGES**

CONDITIONS FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the *Virginia Public Records Act*, §§ 42.1-76, et. seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1902 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Microfilming must be done in accordance with §§ 17VAC15-20-10, et. seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention."
8. Custodians of records must ensure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.



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RECORDS SERIES TITLE AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Administrative Records</u> Documents the common functions and administration of various types of offices; records not otherwise listed on this schedule.		Refer to <i>General Records Retention and Disposition Schedule GS No. 19, Administrative Records</i> , for retention guidelines.
<u>Class Rosters</u> Lists of persons assigned to classes or group therapy. Includes type of session, names of attendees, date and time of sessions, and names of class instructors.	100187	Retain 1 year after conclusion of class, then destroy in compliance with No. 8 on schedule cover page.
<u>Consent for Release of Confidential Information</u> Form signed by probationer giving ASAP permission to release information regarding probationer's participation in program. Form is kept in probationer file; when paper case file is destroyed, form is retained as this separate series.	100188	Retain 3 years after completion of program or return of case to court, then destroy in compliance with No. 8 on schedule cover page.
<u>Court Issued Notices</u> Copies of information issued by court, including dockets, summonses, warrants of arrest and other information that is not part of the probationer's case file.	100189	Retain 6 months after issuance, then destroy in compliance with No. 8 on schedule cover page.
<u>DMV Transcripts</u> Information provided by Department of Motor Vehicles; used to classify offenders' driving records. Includes convictions, resolutions and dates of offenses. Transcripts are maintained in Habitual Offender Intervention file, Probationer file or Pre-Court Evaluation file.	100190	Transfer to records series 100191, "Pre-Court and Habitual Offender Files", or 100194, 100195 and 100196, "Probationer Files."
<u>Electronic Records</u> Created or stored information held in any electronic format; records		Refer to <i>General Records Retention and Disposition Schedule No. GS-23, Electronic Records</i> for retention



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not otherwise listed on this schedule.		guidelines.
<u>Evaluations, Pre-Court and Habitual Offender</u> Information compiled for submission to court to assess an individual's fitness for having driving privileges restored or restricted. Includes court petitions, appointment letters, diagnostic tests, criminal history record, Department of Motor Vehicles driver history records, interviewer's notes, evaluations and recommendations to court.	100191	Retain 1 year after submission to court, then destroy in compliance with No. 8 on schedule cover page.
<u>Fiscal Records</u> Documents the expenditure of funds, accounting for funds, routine purchases and other activities of an accounting or financial nature; records not otherwise listed on this schedule.		Refer to <i>General Records Retention and Disposition Schedule GS No. 2, Fiscal Records</i> , for retention guidelines.
<u>Habitual Offender Intervention Interview</u> Documents offender's compliance with Department of Motor Vehicles abstract requirements in order to obtain or retain a driver's license. Includes copy of DMV report, payment receipt and verification of class attendance.	100192	Retain one year after completion of interview or submission of request, then destroy in compliance with No. 8 on schedule cover page.
<u>Personnel Records</u> Documents the management of staff and administration of benefits to staff; records not otherwise listed on this schedule.		Refer to <i>General Records Retention and Disposition Schedule GS No. 3, Personnel / Human Resources Records</i> , for retention guidelines.
<u>Probationer Files - Inferno Case Management Database</u> Case files maintained electronically by VASAP Central Office for 20 years. Documents participation in program for alcohol- or drug-related offenses and habitual offender supervision and includes compliance information such as case summary form, notes, reports and treatment information.		Refer to Agency Specific Schedule No. 413-02 for retention guidelines.



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<u>Probationer Files - Successful Completion</u> Documents in paper format case files of adult and juvenile offenders who have participated in and successfully completed program for alcohol- or drug-related offenses and habitual offender supervision. Includes court referrals, Department of Motor Vehicles abstract, State Police criminal record search, case summary form, Consent for Release of Confidential Information form, final report to court, notes, reports, treatment information, agreement forms, receipts, tests and correspondence.	100194	Once probationer has completed program, remove "Consent for Release of Confidential Information" form from case file for additional retention period (refer to series number 100188). Then, destroy remainder of file in compliance with No. 8 on schedule cover page.
<u>Probationer Files - Unsuccessful Completion</u> Documents in paper format case files of adult and juvenile offenders who have participated in but did not unsuccessfully complete program for alcohol- or drug-related offenses and habitual offender supervision. Includes court referrals, Department of Motor Vehicles abstract, State Police criminal record search, case summary form, Consent for Release of Confidential Information form, final report to court, notes, reports, treatment information, agreement forms, receipts, tests and correspondence.	100195	Retain 1 year after probationer's case has been returned to court, then remove "Consent for Release of Confidential Information" form from case file for additional retention period (refer to series number 100188). Destroy remainder of file in compliance with No. 8 on schedule cover page.
<u>Probationer Index</u> Card or electronic index of program participants created by each program to track its past and current participants. Includes name, social security number, address, referring court, participation dates. May include date of arrest and conviction and referrals.	100196	Retain 20 years after participant's departure from program, then destroy card, or delete and wipe information from database.
<u>Program Records Other Than ASAP (Non-Enrolled ASAP)</u> Reference information on court-referred, voluntary clients and non-enrolled clients to ASAP and programs other than ASAP (e.g., Driver	100197	Retain 1 year after completion of class, referral or last contact; then destroy.



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Improvement Program and Habitual Offender). May include copy of warrant, court referral or order, class roster, index card and receipt.